



MONTGOMERY COUNTY ETHICS COMMISSION

Kenita V. Barrow
Chair

Vacant
Vice Chair

November 18, 2015

Waiver 15-11-018

Pursuant to § 19A-12(b)(1)(B) of the Public Ethics Law, a public employee must not be employed by a business that negotiates or contracts with the County agency with which the public employee is affiliated, unless the Ethics Commission grants a waiver.

Patricia Wellington is a Community Health Nurse at the Department of Health and Human Services (DHHS). She requests a waiver of the prohibition of § 19A-12(b)(1)(B) so that she can be employed by Holy Cross Health to teach weekend diabetes classes. DHHS has several contracts with Holy Cross Health for various health related services, none of which relate to the services that Ms. Wellington will be providing to Holy Cross Health. Also, in her position with the County, Ms. Wellington will not be making any decisions or otherwise be involved with the contracts between DHHS and Holy Cross Health.

Pursuant to § 19A-8(b)(3) of the Public Ethics Law, the Ethics Commission may grant a waiver of the prohibition of § 19A-12(b) if the Ethics Commission concludes that the proposed employment is not likely to create an actual conflict of interest. Upon a review of the request and the Department's concurrence in and support for the waiver request, the Commission finds that there is no actual conflict of interest. Pursuant to the standard of § 19A-8(b)(3), the Commission grants the waiver of the prohibition of § 19A-12(b).

The waiver is conditioned on Ms. Wellington not making any referrals of clients of DHHS to Holy Cross Health facilities or programs.

In reaching this decision, the Commission has relied upon the facts as presented by Ms. Wellington.

For the Commission:

Kenita V. Barrow

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